

REMARKS

In a first Office Action dated March 8, 2006, the Examiner rejected claims 1-3, 8-13, 20-21, and 23 under 35 U.S.C. §102(b) as being anticipated by Tiedemann, Jr. (U.S. patent no. 6,021,122, hereinafter referred to as "Tiedemann"). The Examiner rejected claims 4, 9, and 14-16 under 35 U.S.C. §103(a) as being unpatentable over Tiedemann in view of Sicher (U.S. patent no. 5,570,411), and rejected claims 5-6 and 17-18 under 35 U.S.C. §103(a) as being unpatentable over Tiedemann in view of Kumar et al. (U.S. patent no. 6,507,572). The rejections are traversed and reconsideration is hereby respectfully requested.

The Examiner rejected claims 1-3, 8-13, and 20-24 under 35 U.S.C. §102(b) as being anticipated by Tiedemann. Claim 1 has been amended to provide features of subsequent to adding the call to the call queue, re-determining whether the mobile station may be assigned a dedicated radio frequency (RF) resource in the service area based on signal strengths reported by the mobile station subsequent to the initial determination of whether the mobile station may be assigned a dedicated RF resource and in response to determining, subsequent to adding the call to the call queue, that the mobile station may be assigned a dedicated RF resource, conveying an assignment of a dedicate traffic channel to the mobile station without first requesting the mobile station to re-originate. These features are not taught by Tiedemann.

Tiedemann teaches an assigning of a traffic channel to the request at the head of the PACA queue when the traffic channel becomes available. Nowhere does Tiedemann teach that the assignment occurs based on anything other than the initial reports and the initial assignment determination. However, as the queue grows, the accuracy of the initial signal strengths report diminishes and use of such stale information may lead to poor results. Therefore, in contrast to Tiedemann, claim 1 teaches a re-determination of whether the mobile station may be assigned a dedicated RF resource in the service area based on signal strengths reported by the mobile station subsequent to the initial determination. As this is nowhere taught by Tiedemann, the applicants respectfully request that claim 1 may now be passed to allowance.

Since claims 3-7 depend upon allowable claim 1, the applicants respectfully request that claims 3-7 may now be passed to allowance.

Claim 8 teaches a controller that, subsequent to adding the call to the call queue, re-determines whether the mobile station may be assigned a dedicated RF resource in the service area based on signal strengths reported by the mobile station subsequent to the initial determination of whether the mobile station may be assigned a dedicated RF resource, and in response to determining, subsequent to adding the call to the call queue, that the mobile station may be assigned a dedicated RF resource, conveys an assignment of a traffic channel to the mobile station without first requesting the mobile station to re-originate. As described in detail above, no such controller is taught by Tiedemann. Accordingly, the applicants respectfully request that claim 8 may now be passed to allowance.

Since claim 9 depends upon allowable claim 8, the applicants respectfully request that claim 9 may now be passed to allowance.

Claims 10 and 19 each have been amended to include features of, subsequent to adding the call to the call queue, re-determining whether the mobile station may be assigned a dedicated RF resource in the service area based on signal strengths reported by the mobile station subsequent to the initial determination of whether the mobile station may be assigned a dedicated RF resource and in response to determining, subsequent to adding the call to the call queue, that the mobile station may be assigned a dedicated RF resource, conveying an assignment of a traffic channel to the mobile station without first paging the mobile station. As described in detail above, nowhere does Tiedemann teach these features. Furthermore, claims 10 and 19 each teaches a call where it is the destination mobile station in regard to which channel availability is determined and for whom a call is then queued until a channel becomes available. By contrast, Tiedemann teaches a queuing of a PACA call when the mobile station that does not have an available traffic channel and whose call is then queued is the originator of the call. Therefore, the applicants respectfully contend that Tiedemann does not teach the features of claims 10 and 19 and respectfully request that claims 10 and 19 may now be passed to allowance.

Since claims 12-18 depend upon allowable claim 10 and claim 20 depends upon allowable claim 19, the applicants respectfully request that claims 12-18 and 20 may now be passed to allowance.

Claims 21 and 23 provide for, in response to determining not to assign a dedicated RF resource to an MS in a first service area, adding a call associated with the MS to a call queue, determining whether the MS has moved to a second service area, in response to determining that the MS has moved to the second service area, determining whether the MS may be assigned a dedicated RF resource in the second service area, and in response to determining that the MS may be assigned a dedicated RF resource in the second service area, assigning a dedicated RF resource to the MS in the second service area without first paging the MS and requesting the mobile station to re-originate. By contrast, Tiedemann teaches that when a mobile station with a call queued is detected to have moved to a new coverage area, the mobile station must re-originate a call.

That is, Tiedemann teaches that a mobile station sends, or a base station determines, a list of active base stations whose pilots are received by the mobile station above a predetermined strength level and that are all required to convey a channel assignment message to the mobile station when the mobile station attempts to originate a call. So long as the mobile station remains within the overall coverage area of these base stations, sort of a super-coverage area, the movement of the mobile station is not tracked and channel assignments may be sent to the mobile station without requiring a resending of the call origination message, as all of these base stations will send a call origination message to the mobile station regardless of which base station is currently serving the mobile station. Thus, Tiedemann teaches, this eliminates the need in PACA for a mobile to register or sending an origination messages every time the mobile changes cells within the super-coverage area. However, when the mobile station leaves this super-coverage area, it must resend an origination message.

In other words, a super-coverage area is defined with respect to which the movement of the mobile station is not reported (and thereby detected) and within which the mobile station need not resend an origination message. However, when a coverage area change is reported/detected (that is, when the mobile station moves outside of the

super-coverage area), the mobile station must resend an origination message. By contrast, claims 21 and 23 teach that a mobile station not be required to re-originate a call even when a change of service areas is reported/detected. Therefore, the applicants respectfully contend that Tiedemann does not teach the features of claims 21 and 23 and respectfully request that claims 21 and 23 may now be passed to allowance.

As the applicants have overcome all substantive rejections and objections given by the Examiner and have complied with all requests properly presented by the Examiner, the applicants contend that this Amendment, with the above discussion, overcomes the Examiner's objections to and rejections of the pending claims. Therefore, the applicants respectfully solicit allowance of the application. If the Examiner is of the opinion that any issues regarding the status of the claims remain after this response, the Examiner is invited to contact the undersigned representative to expedite resolution of the matter.

Respectfully submitted,
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